

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS

CASE NUMBER:
TN160038

VIOLATOR:
Shirley Farms

Customer# 44856
License# 63-C-0201

ADDRESS (Street, City, State, ZIP Code):
2557 South Bluff Rd
Obion, TN 38240

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed violations of the following sections of the Code of Federal Regulations, Title 9:

Date(s): October 26, 2015, September 16, 2015, July 06, 2015, May 04, 2015 and February 25, 2015

§ 2.40(a)(1) - Attending veterinarian and adequate veterinary care (dealers and exhibitors).

Each dealer or exhibitor shall have an attending veterinarian who shall provide adequate veterinary care to its animals in compliance with this section. Each dealer and exhibitor shall employ an attending veterinarian under formal arrangements. In the case of a part-time attending veterinarian or consultant arrangements, the formal arrangements shall include a written program of veterinary care and regularly scheduled visits to the premises of the dealer or exhibitor.

Date(s): September 16, 2015

§2.40(b)(2) – Attending Veterinarian and Adequate Veterinary Care (Dealers and Exhibitors).

Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

Date(s): February 25, 2015

§ 2.75(b)(1) - Records: Dealers and exhibitors

Every dealer other than operators of auction sales and brokers to whom animals are consigned, and exhibitor shall make, keep, and maintain records or forms which fully and correctly disclose the following information concerning animals other than dogs and cats, purchased or otherwise acquired, owned, held, leased, or otherwise in his or her possession or under his or her control, or which is transported, sold, euthanized, or otherwise disposed of by that dealer or exhibitor. The records shall include any offspring born of any animal while in his or her possession or under his or her control.

Date(s): September 16, 2015, July 06, 2015, May 04, 2015, and February 25, 2015

§ 3.81 - Environment enhancement to promote psychological well-being

Dealers, exhibitors, and research facilities must develop, document, and follow an appropriate plan for environment enhancement adequate to promote the psychological well-being of nonhuman primates. The

plan must be in accordance with the currently accepted professional standards as cited in appropriate professional journals or reference guides, and as directed by the attending veterinarian. This plan must be made available to APHIS upon request, and, in the case of research facilities, to officials of any pertinent funding agency.

Date(s): September 16, 2015

§ 3.125(a) - Facilities, general

Structural strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

Date(s): May 04, 2015 and February 25, 2015

§3.127(d) – Facilities, Outdoor.

Perimeter fence. On or after May 17, 2000, all outdoor housing facilities (i.e., facilities not entirely indoors) must be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized persons out. Fences less than 8 feet high for potentially dangerous animals, such as, but not limited to, large felines (e.g., lions, tigers, leopards, cougars, etc.), bears, wolves, rhinoceros, and elephants, or less than 6 feet high for other animals must be approved in writing by the Administrator. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility, and so that it can function as a secondary containment system for the animals in the facility. It must be of sufficient distance from the outside of the primary enclosure to prevent physical contact between animals inside the enclosure and animals or persons outside the perimeter fence. Such fences less than 3 feet in distance from the primary enclosure must be approved in writing by the Administrator.

The above is not intended to be an all-inclusive list. Please know that you are responsible for ensuring that your facility, animals, and property are in compliance with the Animal Welfare regulations. Inspection reports can be found on APHIS' website at:

<https://acissearch.aphis.usda.gov/LPASearch/faces/Warning.jspx>.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name):

Gerald Rushin

OFFICE ADDRESS:

4700 River Road
Riverdale, MD 30737

APHIS OFFICIAL (TITLE):

Assistant Deputy Administrator
Animal Care

DATE ISSUED:

January 6, 2016

TELEPHONE NO:

(919) 855-7100

CERTIFIED MAIL RECEIPT NO:

7014 2870 0000 6436 2646